

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROSS WILLIAM ULBRICHT	:	
	:	19 Civ. 7512 (LGS)
- v. -	:	S1 14 Cr. 68 (LGS)
	:	
UNITED STATES OF AMERICA	:	
-----X	:	


Pursuant to 28 U.S.C. § 1746, I, Timothy T. Howard, declare the following under penalty of perjury:

1. I am an Assistant United States Attorney (“AUSA”) in the United States Attorney’s Office for the Southern District of New York. I am currently the Co-Chief of the Office’s Complex Frauds and Cybercrime Unit. Former AUSA Serrin Turner and I were responsible for the prosecution of Ross William Ulbricht through his conviction following a jury trial.

2. I am aware of a recent *Vanity Fair* article which asserts, in relevant part, that Ulbricht “was offered a plea deal, which would have likely given him a decade-long sentence.” (*See* 19 Civ. 7512, Dkt. 32, Ex. 1.) I hereby attest, based on my personal knowledge, that (1) no such plea offer was ever extended to Ross William Ulbricht, or conveyed to his then-counsel; and (2) contrary to petitioner’s recent claim based on this *Vanity Fair* article, the Government did not extend “a different, more favorable plea offer to Ulbricht than the pre-indictment offer.” The only plea offer extended to Ross William Ulbricht was the pre-indictment offer discussed at the final pretrial conference on December 17, 2014, which would have permitted Ulbricht to plead guilty to charges carrying a mandatory minimum sentence of ten years and a maximum sentence of life imprisonment, with a recommended United States Sentencing Guidelines range of life imprisonment.

3. On April 9, 2021, I spoke by telephone with Serrin Turner, and he confirmed the accuracy of the statements made above in paragraph 2.

Dated: April 9, 2021
New York, New York



Timothy T. Howard
Assistant United States Attorney
Southern District of New York